

CHAPTER 5900
METROPOLITAN WASTE CONTROL COMMISSION
INDUSTRIAL COST RECOVERY SYSTEM

5900.0100	DEFINITIONS.	5900.3800	PUBLIC ACCESS TO INFORMATION.
5900.0200	SCOPE.		MDS LIMITATIONS ON DISCHARGES
5900.0300	INDUSTRIAL COST RECOVERY (ICR) PERIOD.	5900.3900	LOCAL LIMITATIONS.
5900.0400	ICR RESPONSIBILITY.	5900.4000	PRETREATMENT.
5900.0500	WASTE CHARACTERISTICS.	5900.4100	RESIDUAL SOLIDS FROM PRETREATMENT FACILITY.
5900.0600	ICR FORMULAS.	5900.4200	DILUTION.
5900.0700	PROJECTS FOR WHICH ICR IS REQUIRED.	5900.4300	TRAP INSTALLATIONS.
5900.0800	USER CLASSIFICATION.	5900.4400	NONCONTACT COOLING WATER.
5900.0900	MONITORING, REPORTING, AND AGREEMENTS.	5900.4500	PROHIBITED WASTE DISCHARGES.
5900.1000	NONCOMPLIANCE WITH REPORTING REQUIREMENTS.	5900.4600	PRETREATMENT STANDARDS.
5900.1100	BILLING.	5900.4700	NOTIFICATION ABOUT PRETREATMENT STANDARDS.
5900.1200	ACCOUNTING.	5900.4800	REMOVAL CREDITS AND VARIANCES.
5900.1300	ICR FUNDS.	5900.4900	REPORTS.
5900.1400	APPEAL PROCEDURE.	5900.5000	PREVENTION OF ACCIDENTAL AND SLUG DISCHARGES.
5900.1500	SEVERABILITY.	5900.5100	ACCIDENTAL DISCHARGES.
	WASTE DISCHARGE FOR METROPOLITAN DISPOSAL SYSTEM	5900.5200	SLUG DISCHARGES.
5900.1600	DEFINITIONS.		ENFORCEMENT
5900.1700	POLICY.	5900.5300	REMEDIES AVAILABLE.
5900.1800	AUTHORITY.	5900.5400	CRIMINAL PENALTIES.
5900.1900	PURPOSE.	5900.5500	CIVIL LIABILITY.
	INDUSTRIAL DISCHARGE PERMIT	5900.5600	INJUNCTIONS.
5900.2000	SCOPE.	5900.5700	ACTIONS TO COMPEL PERFORMANCE.
5900.2100	PERMIT APPLICATION.	5900.5800	TERMINATION OF SERVICE.
5900.2200	INCOMPLETE OR DEFICIENT APPLICATION.	5900.5900	ADMINISTRATION OF RULES.
5900.2300	ISSUANCE OF INDUSTRIAL DISCHARGE PERMIT.	5900.6000	ENFORCEMENT.
5900.2400	PERMIT CONDITIONS.	5900.6100	NOTICE OF VIOLATION.
5900.2500	PERMIT MODIFIED, SUSPENDED, OR REVOKED.	5900.6200	VARIANCES.
5900.2600	TIME SCHEDULE FOR COMPLIANCE.	5900.6300	APPEALS.
5900.2700	REFUND IF PERMIT SURRENDERED OR REVOKED.	5900.6400	CONFLICTS.
5900.2800	PERMIT DURATION AND REISSUANCE.	5900.6500	SEVERABILITY.
5900.2900	PERMIT FEES.	5900.6800	APPENDIX A: INDUSTRIAL DISCHARGE PERMIT APPLICATION.
5900.3000	PERMIT TRANSFER.	5900.6900	APPENDIX B: INDUSTRIAL WASTE.
5900.3100	MONITORING.	5900.7000	TABLE B-1: CONTAINERS, PRESERVATION, AND HOLDING TIMES.
5900.3200	WASTEWATER DISCHARGE RECORDS OF PERMITTEE.	5900.7100	APPENDIX C: CLASSIFICATION OF INDUSTRIAL USERS.
5900.3300	SAMPLES OF PERMITTEE'S INDUSTRIAL WASTE.	5900.7200	APPENDIX D: PRETREATMENT STANDARDS.
5900.3400	METERS AND FLOW RECORDERS.	5900.7300	APPENDIX E: INDUSTRIAL WASTE DISCHARGE REPORT.
5900.3500	TEST PROCEDURES FOR ANALYSIS OF POLLUTANTS.	5900.7400	APPENDIX F: WASTE TRANSPORT HAULER DISCHARGE REPORT.
5900.3600	SELF-MONITORING REPORTS.	5900.7500	APPENDIX G: INDUSTRIAL DISCHARGE PERMIT, RENEWAL APPLICATION.
5900.3700	REPORT AND MONITORING DISCREPANCIES.		

5900.0100 DEFINITIONS.

Subpart 1. **Scope.** As used in these rules, the following words shall have the meanings defined herein.

Subp. 2. **BOD.** "BOD" (biochemical oxygen demand) means a measure of the oxygen equivalent of that portion of organic matter that is susceptible to oxidation by biochemical means under standard laboratory procedures.

Subp. 3. **COD.** "COD" (chemical oxygen demand) means a measure of the oxygen equivalent of that portion of organic matter that is susceptible to oxidation by a strong chemical oxidant under standard laboratory procedures.

Subp. 4. **Commission or MWCC.** "Commission" or "MWCC" means the Metropolitan Waste Control Commission established by Minnesota Statutes, section 473.503.

Subp. 5. **Industrial cost recovery.** "Industrial cost recovery" (ICR) means recovery by the commission from the industrial users of the Metropolitan Disposal System of the federal grant amounts allocable to the treatment of wastes from such industrial users of the Metropolitan Disposal System.

Subp. 6. **Industrial cost recovery period.** "Industrial cost recovery period" means a period equal to 30 years or the useful life of the treatment works, whichever is less, during which the grant amount allocable to the treatment of wastes from industrial users is recovered from the industrial users of such treatment works.

Subp. 7. **Industrial user.** "Industrial user" means any nongovernmental user of publicly owned treatment works identified in the Standard Industrial Classification (SIC) Manual, 1972, United States Office of Management and Budget, as amended and supplemented, including but not limited to the following divisions: Division A. Agriculture, forestry, and fishing; Division B. Mining; Division D. Manufacturing; Division E. Transportation, communications, electric, gas, and sanitary services; Division I. Services.

Subp. 8. **Metropolitan Disposal System.** "Metropolitan Disposal System" (MDS) means any and all of the interceptors and treatment works owned or operated by the commission.

Subp. 9. **SS.** "SS" (suspended solids) means solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids and which are removable by standard laboratory procedures.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.0200 SCOPE.

To establish a procedure for industrial cost recovery in compliance with the Federal Water Pollution Control Act amendments of 1972, Public Law Number 92-500; a procedure for collecting from industrial users of the Metropolitan Disposal System the industrial users' share of certain federal grant contributions for the construction of facilities inclusive of and appurtenant to the Metropolitan Disposal System; a procedure for paying to the United States government a portion of the moneys so collected; and providing an effective implementation date.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.0300 INDUSTRIAL COST RECOVERY (ICR) PERIOD.

For each project funded under Public Law Number 92-500, the ICR period shall begin upon completion of construction and the date of beneficial use; the initial ICR period for the commission's ICR system shall commence on January 1, 1978.

ICR shall continue for a period of 30 years or the useful life of the treatment works, whichever is less, with respect to each project. Payments for each project shall be made in 30 consecutive years or in the useful life consecutive years commencing with the year of the first payment.

The responsibility of new industrial users for ICR shall begin upon the date use is initiated.

ICR shall terminate with respect to a particular industrial user when the user ceases to use the Metropolitan Disposal System.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.0400 ICR RESPONSIBILITY.

The ICR responsibility of each industrial user or user class shall be based on the federal grant award percentages as computed for the related waste characteristics, the MDS loadings, and the loadings received from an industrial user, all of which affect the cost of construction.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.0500 WASTE CHARACTERISTICS.

Waste characteristics are strength (BOD or COD and suspended solids) and volume of flow.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

MINNESOTA RULES 1993

979

INDUSTRIAL COST RECOVERY SYSTEM 5900.0800

5900.0600 ICR FORMULAS.

The formulas for determining the annual ICR payment are as follows:

$$V_e = V_i + V_i \left[\left(\frac{COD_i - COD_d}{COD_d} \right) \frac{G_{cod}}{G_a} + \left(\frac{SS_i - SS_d}{SS_d} \right) \frac{G_{ss}}{G_a} \right]$$

and

$$\frac{V_e}{V_i} \times \frac{G_t}{U} = \text{ICR Annual Payment}$$

V_e = Equivalent volume loading capacity of industrial user's discharge on disposal system in million gallons per day (MGD).

V_i = Volume of industrial user's discharge in million gallons per day (MGD).

COD_i = Chemical Oxygen Demand Concentration, in mg/l, of industrial user's discharge ($COD_i \geqslant COD_d$).

COD_d = Chemical Oxygen Demand Concentration, in mg/l, of MDS design loadings.

SS_i = Suspended Solids Concentration, in mg/l, of industrial user's discharge ($SS_i \geqslant SS_d$).

SS_d = Suspended Solids Concentration, in mg/l, of MDS design loadings.

G_a = Grant awards, in dollars, adjusted for stormwater collection and treatment.

G_{cod} = COD related share of adjusted Federal grant awards, in dollars.

G_{ss} = SS related share of adjusted Federal grant awards, in dollars.

V_i = Current year hydraulic loading of MDS, in million gallons per day (MGD).

G_t = ICR eligible grant pool, in dollars. (Federal grant awards in dollars, adjusted for stormwater treatment and unused MDS capacity.)

U = Industrial cost recovery period, in years, as useful life of facility.

When an industrial user's supporting analytical data demonstrates to the satisfaction of the Commission that a gross inequity would result if and when COD values are used in the ICR formula, the Commission will allow the use of BOD values in place of COD.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.0700 PROJECTS FOR WHICH ICR IS REQUIRED.

The projects for which ICR is required are those projects for which Environmental Protection Agency grants are awarded after March 1, 1973. As new construction financed by federal grants is completed, the ICR payment figure shall be adjusted to take into consideration the federal contribution to the eligible grant pool for the succeeding year.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.0800 USER CLASSIFICATION.

The commission shall use an industrial user classification in accordance with the Standard Industrial Classification (SIC) Manual, 1972, of the United States Office of Management and Budget, as amended and supplemented, inclusive of those industrial user divisions listed under part 5900.0100, subpart 7.

ICR is the responsibility of each industrial user.

Industrial users subject to the ICR system shall receive an offsetting credit for a waste strength and flow based on their number of employees.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.0900 MONITORING, REPORTING, AND AGREEMENTS.

Routine metering, sampling, analyzing, and reporting of waste discharges shall be conducted by each industrial user in accordance with appropriate scheduling by the commission.

The industrial user shall: operate and maintain recording and totalizing equipment for flow metering, except where the entire water supply is adequately metered and adjustments to water supply figures are demonstrated to the satisfaction of the commission to be accurate; obtain representative samples of waste discharges on normal (not minimum) operating days; have representative samples analyzed according to the latest edition of Standard Methods for the Examination of Water and Wastewater; and submit to the commission a written copy of all volume and analytical results obtained from any sampling made during the reporting period.

The industrial user and the commission may agree in writing to reasonable waste characteristics, in lieu of the sampling and analyzing requirements of this chapter, to be used to calculate ICR charges under the ICR formula.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.1000 NONCOMPLIANCE WITH REPORTING REQUIREMENTS.

In the event that an industrial user does not comply with the commission's reporting requirements, the commission shall determine appropriate ICR charges to that user based upon available information on waste characteristics.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.1100 BILLING.

ICR charges shall be billed to and payments received from industrial users at least annually. ICR charges shall be processed and billed in accordance with Minnesota Statutes, section 473.504, subdivision 5, as implemented by the MWCC and the local governmental unit in which the industrial user is located.

ICR billings will vary from year to year as the usage of the Metropolitan Disposal System increases or decreases and as new projects are added to the ICR grant pool.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.1200 ACCOUNTING.

The accounting period for the ICR system shall be the same as the commission's fiscal year, January 1 through December 31, or as may be amended.

The commission shall maintain a complete set of records pertaining to ICR as required by applicable federal rules and regulations.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.1300 ICR FUNDS.

All ICR funds collected, other than the commission's discretionary share of ten percent as specified by federal regulations, shall be deposited in interest-bearing accounts fully collateralized by obligations of the United States government, or obligations guaranteed as to principal and interest by the United States government or any agency thereof.

Once each year, and within four months after the close of the fiscal year, the commission shall return to the United States Treasury the required percentage of the ICR funds, plus interest earned thereon.

The commission's discretionary share of ten percent of the ICR funds may be used inclusive of but not limited to the following priority listing: ICR system administration, billing, and quality control monitoring; research and development projects relative to the treatment of wastewater loads and characteristics from the industrial users of the Metropolitan Disposal System; operation and maintenance of the Metropolitan Disposal System.

The remaining portion of the ICR funds and the accrued interest thereon shall be held by the commission for use in payment of expansion and reconstruction projects pursuant to the Code of Federal Regulations, at title 40, section 35.928-2(b).

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.1400 APPEAL PROCEDURE.

An industrial user, or anyone else affected by ICR as established by these rules, may seek review of the ICR program by appealing in writing to the MWCC chief administrator. If

with respect to an ICR billing the letter seeking review must be received within 30 days of the billing date.

A decision of the chief administrator may be appealed for hearing to the commission by giving written notice of appeal within ten days after the chief administrator's decision has been received in writing. Notice of such hearing shall be mailed to the appealing industrial user.

The decision of the commission on such appeal shall be the final determination of the MWCC.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.1500 SEVERABILITY.

If any provision of these rules or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of these rules and to this end the provisions of these rules are declared to be severable.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

WASTE DISCHARGE FOR METROPOLITAN DISPOSAL SYSTEM

5900.1600 DEFINITIONS.

Subpart 1. **Scope.** The following definitions shall be used in the interpretation of these rules unless otherwise indicated by the context.

Subp. 2. **Act.** "Act" means the Federal Water Pollution Control Act, Public Law Number 92-500, and the Clean Water Act, Public Law Number 95-217, as amended.

Subp. 3. **Chief administrator.** "Chief administrator" means the chief administrator of the Metropolitan Waste Control Commission, or the duly authorized representative of the chief administrator.

Subp. 4. **Commission.** "Commission" means the Metropolitan Waste Control Commission, established by Minnesota Statutes, section 473.503, as amended.

Subp. 5. **Domestic waste.** "Domestic waste" means wastes from residential users and from the sanitary conveniences of multiple dwellings, commercial buildings, institutions, and industrial facilities.

Subp. 6. **EPA.** "EPA" means the U.S. Environmental Protection Agency.

Subp. 7. **General pretreatment regulations.** "General pretreatment regulations" means the general pretreatment regulations for existing and new sources of pollution promulgated by EPA under section 307(b) and (c) of the act and found at Code of Federal Regulations, title 40, section 403.

Subp. 8. **Industrial discharge permit or permit.** "Industrial discharge permit" or "permit" means a permit issued by the commission to an industrial user to use the Metropolitan Disposal System, as established by parts 5900.2000 to 5900.3800 herein.

Subp. 9. **Industrial user.** "Industrial user" means a person whose activity is listed in the SIC major group, group, or industry numbers contained in attached Appendix C, part 5900.7100, unless the discharge contains only domestic waste generated at the discharge site.

Subp. 10. **Industrial waste.** "Industrial waste" means solid, liquid, or gaseous wastes, including cooling water except where exempted by an NPDES permit, resulting from any industrial, manufacturing, or business process, or from the development, recovery, or processing of a natural resource.

Subp. 11. **Interference.** "Interference" means a disruption or an inhibition of the sewer system and/or treatment plant processes or operations or a violation of any requirement of an NPDES permit. The term also includes prevention of sewage sludge use or disposal by the commission in accordance with local, state, and federal rules or regulations.

Subp. 12. **May.** "May" indicates permissive.

Subp. 13. **Metropolitan area.** "Metropolitan area" includes the area in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Subp. 14. **Metropolitan Disposal System.** "Metropolitan Disposal System" or "MDS" means any or all of the interceptors and treatment works owned and operated by the commission.

Subp. 15. **NPDES permit.** "NPDES permit" means a discharge permit issued pursuant to the National Pollutant Discharge Elimination System established under the act.

Subp. 16. **pH.** "pH" means a measure of the acidity or basicity of a waste. It is the logarithm of the reciprocal of the hydrogen ion concentration in moles per liter.

Subp. 17. **Permittee.** "Permittee" means an industrial user authorized to discharge, directly or indirectly, industrial waste into the MDS pursuant to an industrial discharge permit.

Subp. 18. **Person.** "Person" means any individual, partnership, association, corporation, public agency, and any other organization or group of individuals, public or private.

Subp. 19. **Pretreatment.** "Pretreatment" means the process of equalizing or reducing the amount of pollutants in wastewater or eliminating pollutants or altering the nature of pollutant properties in wastewater to a less harmful state by physical, chemical, or biological processes prior to or in lieu of discharging or otherwise introducing such pollutants into the Metropolitan Disposal System.

Subp. 20. **Pretreatment standards.** "Pretreatment standards" means regulations, applicable to specific categories of industrial users, containing pollutant discharge limits promulgated by EPA in accordance with section 307(b) and (c) of the act as established under Code of Federal Regulations, title 40, chapter I, subchapter N.

Subp. 21. **Rules.** "Rules" means the waste discharge rules for the Metropolitan Disposal System contained herein.

Subp. 22. **Sewage sludge.** "Sewage sludge" means solids and associated liquids in municipal wastewater which are encountered and concentrated by a municipal wastewater treatment plant.

Subp. 23. **Shall.** "Shall" indicates mandatory.

Subp. 24. **SIC.** "SIC" means the Standard Industrial Classification Code (1972) issued by the Executive Office of the President, Office of Management and Budget, for use in the classification of establishments by types of business and the primary and economic activity engaged in.

Subp. 25. **Slug.** "Slug" means any waste discharge which, in concentration of any given constituent or in quantity of flow, exceeds four times the average 24-hour concentration or flow during normal operation.

Subp. 26. **Waste transport hauler.** "Waste transport hauler" means an industrial user who transports industrial or domestic waste for the purpose of discharge into the MDS.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

History: *17 SR 1279*

5900.1700 POLICY.

The Metropolitan Waste Control Commission designs, constructs, owns, and operates the Metropolitan Disposal System, a publicly owned system of interceptors and treatment works, for the conveyance, treatment, and disposal of domestic and industrial wastes from residential, commercial, institutional, and industrial users in the metropolitan area. To achieve the highest and best use of the commission's facilities, the commission shall regulate the quantity and quality of discharges into the public sewers of local units of government and the interceptors of the commission. Further, the commission shall maintain a program to regulate, enforce, and charge for services necessary to carry out its obligations under federal and state laws.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.1800 AUTHORITY.

These rules are adopted by the Metropolitan Waste Control Commission pursuant to Minnesota Statutes, chapter 473, and are declared to be necessary for the efficient, economic, and safe operation of the Metropolitan Disposal System, and for protection of the health, safety, and general welfare of the public in the metropolitan area.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.1900 PURPOSE.

These rules are intended: to carry out the comprehensive plan for the Metropolitan Disposal System as contained in the Metropolitan Development Guide, Waste Management Policy Plan adopted by the Metropolitan Council, as amended; to comply with provisions of the Federal Clean Water Act, section 33, United States Code, title 1251 et seq., as amended; to comply with permit requirements under the National Pollutant Discharge Elimination System; to comply with federal (EPA) and state (Minnesota Pollution Control Agency) rules and regulations in order to maintain eligibility for federal and state grants for construction of treatment facilities; to prevent and abate pollution; to prevent the introduction of pollutants into the MDS which will interfere with the operation of the MDS, including interference with its use or disposal of sewage sludge; to prevent the introduction of pollutants into the MDS which will pass through the treatment works or otherwise be incompatible with such works; and to improve opportunities to recycle and reclaim municipal and industrial waste water and sludges.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

INDUSTRIAL DISCHARGE PERMIT**5900.2000 SCOPE.**

Industrial users discharging directly or indirectly into the Metropolitan Disposal System shall obtain an industrial discharge permit pursuant to these rules unless the chief administrator determines after a review of completed permit application that the discharge has no noticeable or measurable impact on the MDS. Issuance of an industrial discharge permit shall not relieve the industrial user from any obligation to obtain a hazardous waste permit from the appropriate other authorities.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.2100 PERMIT APPLICATION.

All industrial users shall complete and file with the commission a permit application in a form substantially the same as that set forth in Appendix A, part 5900.6800. The appropriate permit fee as provided by part 5900.2900 shall accompany the permit application form at the time of application. No industrial user shall discharge into the MDS after March 1, 1982, unless the industrial user has been granted an industrial discharge permit.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.2200 INCOMPLETE OR DEFICIENT APPLICATION.

If the permit application is incomplete or otherwise deficient, the chief administrator shall promptly advise the applicant of such incompleteness or deficiency. An industrial discharge permit shall not be issued until an application is complete.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.2300 ISSUANCE OF INDUSTRIAL DISCHARGE PERMIT.

Within 60 days after receipt of a completed application form from the industrial user, the chief administrator shall, upon a determination that the applicant is capable of compliance with the industrial discharge permit conditions and these rules, issue an industrial discharge permit subject to the terms and conditions provided herein.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.2400 PERMIT CONDITIONS.

Industrial discharge permits shall be subject to all provisions of these rules. Permits shall include the following conditions, if applicable:

- A. payment of strength charge and industrial cost recovery charge;
- B. the maximum allowable wastewater constituents and characteristics, either in terms of concentrations, mass limitations, or other appropriate limits;
- C. requirements for installation, maintenance, and operation of sampling and monitoring points;
- D. pretreatment requirements;

E. specifications for self-monitoring programs, which include sampling locations, frequency and method of sampling, number and type of tests, as well as reporting schedules;

F. requirements for access to the permittee's premises and records pursuant to part 5900.3100;

G. requirements for submission of plans and maintenance of records for the prevention and control of accidental discharges pursuant to parts 5900.5000 to 5900.5200;

H. compliance schedules;

I. requirements for notification to the chief administrator of any change in the volume or characteristics of industrial waste introduced into the MDS which the permittee knows or has reason to believe will or is likely to have, either singly or by interaction with other wastes, a negative impact on the MDS treatment process;

J. requirements for notification of slug and/or bypass discharges; and

K. requirements for the specific location, time, and volume of discharge to the MDS for waste transport haulers.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.2500 PERMIT MODIFIED, SUSPENDED, OR REVOKED.

An industrial discharge permit shall be modified, suspended, or revoked, in whole or in part, by the chief administrator during its term for the following causes:

A. violation of these rules;

B. violation of any terms or conditions of the industrial discharge permit;

C. obtaining an industrial discharge permit by misrepresentation or failure to disclose fully all relevant facts;

D. amendment of these rules where permit provisions are affected;

E. a change in the MDS treatment process which results in the permittee's discharge having a significantly different and negative impact on the process;

F. a change in the permittee's industrial waste volume or characteristics which will or is likely to have, either singly or by interaction with other wastes, a negative impact on the MDS treatment process, modification only; and

G. a determination by the chief administrator that the permittee's discharge reasonably appears to present an imminent endangerment to the health or welfare of persons, presents an endangerment to the environment, or threatens interference with the operation of the MDS.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.2600 TIME SCHEDULE FOR COMPLIANCE.

Any modifications in the industrial discharge permit shall specify a reasonable time schedule for compliance.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.2700 REFUND IF PERMIT SURRENDERED OR REVOKED.

A permittee may surrender an industrial discharge permit to the commission prior to the permit's scheduled termination. In the event that a permit is surrendered or revoked, the permittee shall be refunded a pro rata portion of the permit fee paid.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.2800 PERMIT DURATION AND REISSUANCE.

Industrial discharge permits shall be issued for a period of three years; provided, however, that original permits may be issued for a period of between two and three years for the administrative convenience of the commission so as to stagger the renewal dates of permits. The permittee shall apply for permit reissuance at least 90 days prior to the permit's expiration date by filing with the commission a permit reissuance application in a form substantially the same as that set forth in Appendix G, part 5900.7500, the applicable fee, and any proposed revisions to the conditions of the expiring permit. Within 90 days after receipt of the

MINNESOTA RULES 1993

985

INDUSTRIAL COST RECOVERY SYSTEM 5900.3200

fee and permit reissuance application, the chief administrator, upon a determination that the permittee has been in compliance with the expiring permit and is capable of complying with the reissued permit, shall reissue an industrial discharge permit upon the terms and conditions specified for an additional period of three years. An expiring permit may be modified for any of the causes specified in part 5900.2500.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.2900 PERMIT FEES.

The industrial discharge permit fee shall be as follows: total waste discharge permit fee (million gallons per year) (both initial and reissuance) less than two, \$30; between two and 20, \$90; greater than 20, \$180.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.3000 PERMIT TRANSFER.

Industrial discharge permits shall be issued to specific industrial users at specific locations, except in the case of waste transport haulers. An industrial discharge permit shall not be assigned or transferred to a new owner or a different premises without the written consent of the commission.

In the event of a change in the entity owning the industrial waste discharge facilities for which there is an industrial discharge permit, the prior owner, if feasible, shall notify the commission of said change in ownership and the succeeding owner of the provisions of the industrial discharge permit and these rules.

The new owner shall submit a new permit application under part 5900.2100 or shall submit to the commission an executed statement agreeing to be bound by the terms and conditions of the existing industrial discharge permit for the facility in which case, upon consent of the commission, the permit shall continue in effect until its expiration date.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.3100 MONITORING.

Each permittee, except a waste transport hauler or unless exempted by permit, shall provide and operate at the permittee's own expense, a monitoring point to allow for reasonable inspection, sampling, and flow measurements by the commission of all industrial waste discharged directly or indirectly to the MDS. This point shall be the same as the permittee's monitoring location. The monitoring point shall be situated on the permittee's premises or, upon prior approval from the local government unit in which the facility is located, the monitoring point may be constructed in a public right-of-way. There shall be sufficient room and adequate access in or near such monitoring point to allow for accurate sampling and flow measurement.

The chief administrator shall have the right to inspect the monitoring point of any permittee to determine compliance with these rules and the industrial discharge permit. The permittee shall allow the chief administrator to enter upon the premises of the permittee during normal operating hours to inspect the facility, disposal systems, or monitoring methods after informal notice. However, in the event of emergency conditions in the MDS or where the chief administrator has reasonable cause to believe that a permittee is evading detection of permit violations through advanced notice, the chief administrator may enter a permittee's premises without providing any notice. The chief administrator shall also have the right to set up on the permittee's premises necessary devices to conduct sampling, inspection, compliance monitoring, and/or metering operations.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.3200 WASTEWATER DISCHARGE RECORDS OF PERMITTEE.

Wastewater discharge records of a permittee shall be kept by the permittee for a period of not less than three years. The permittee shall provide the chief administrator reasonable access to these records during normal business hours. A permittee subject to an applicable pretreatment standard shall maintain all records required by Code of Federal Regulations, title 40, section 403.12(n) of the general pretreatment regulations.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.3300 SAMPLES OF PERMITTEE'S INDUSTRIAL WASTE.

Representative samples of a permittee's industrial waste shall be collected on normal operating days and in accordance with guidelines listed in Appendix B, part 5900.6900. Industrial users subject to pretreatment standards shall sample in accordance with the pretreatment standards. Self-monitoring point(s) for industrial users who are not subject to pretreatment standards shall be at a location before wastewater is mixed with other discharges or at a point where waste can be adequately monitored.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.3400 METERS AND FLOW RECORDERS.

A permittee whose industrial waste discharge is greater than 100,000 gallons per day through single or multiple connection(s) at a permitted facility to the Metropolitan Disposal System shall install and maintain a flow measurement device for instantaneous rate and/or cumulative flow volume determinations. Metered water supply may be used in lieu of flow measurement devices if it can be documented that the water usage and waste discharge are the same, or where a measurable adjustment to the metered supply can be made to determine the waste volume.

Meters and flow recorders shall be maintained at the permittee's expense in good operating condition at all times. The permittee shall notify the chief administrator in writing within five days in the event that the permittee becomes aware that the meter or flow recorder has failed to accurately register the flow. The permittee shall also notify the chief administrator of the permittee's intention to alter the installation of a meter or flow recorder so as to affect the accurate recording of industrial waste entering the MDS.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.3500 TEST PROCEDURES FOR ANALYSIS OF POLLUTANTS.

Test procedures for the analysis of pollutants for permit applications and routine self-monitoring shall conform to the guidelines established in Code of Federal Regulations, title 40, part 136 and Code of Federal Regulations, title 40, section 403.12(g) of the general pretreatment regulations.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.3600 SELF-MONITORING REPORTS.

A condition of the industrial discharge permit shall include the completion and submittal of accurate routine self-monitoring reports to the commission in the form substantially similar to that set forth in Appendix E, part 5900.7300, or, in the case of waste transport haulers, Appendix F, part 5900.7400. The nature and frequency of routine reporting shall be based upon the information provided in the permit application form. Except in the case of waste transport haulers, reports shall be required as follows: less than two million gallons total waste discharge per year, annually; between two and 20 million gallons, semiannually; greater than 20 million gallons, quarterly.

The chief administrator may modify the above reporting schedule for a particular permittee based on the permittee's industrial waste characteristics. Waste transport haulers shall submit reports semiannually.

Permittees subject to pretreatment standards shall submit reports to the commission in accordance with the applicable pretreatment standards.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.3700 REPORT AND MONITORING DISCREPANCIES.

A permittee shall be notified in writing by the chief administrator of a significant discrepancy between the permittee's routine self-monitoring reports and the commission's monitoring results within 30 days after the receipt of such reports and monitoring results. The permittee shall then have ten working days to reply in writing to such notification. If mutual resolution of such discrepancy is not achieved, additional sampling shall be performed by the commission. Samples shall be split between the permittee's laboratory or agent and the commission's laboratory for analysis.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.3800 PUBLIC ACCESS TO INFORMATION.

Public access to information and data furnished to the commission by permittees shall be available to the public as provided by the Minnesota Government Data Practices Act, Minnesota Statutes, sections 13.01 to 13.86, and Code of Federal Regulations, title 40, section 403.14 of the general pretreatment regulations.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

MDS LIMITATIONS ON DISCHARGES**5900.3900 LOCAL LIMITATIONS.**

No person, except as authorized pursuant to a compliance schedule in a permit, shall discharge or cause or allow to be discharged, directly or indirectly, into the MDS any of the following waste pollutants containing concentrations in excess of the following maximum limitations for any operating day.

- A. Cadmium (Cd), 2.0 milligrams per liter;
- B. Chromium total (Cr), 8.0 milligrams per liter;
- C. Copper (Cu), 6.0 milligrams per liter;
- D. Cyanide total (Cn), 4.0 milligrams per liter;
- E. Lead (Pb), 1.0 milligrams per liter;
- F. Mercury (Hg), 0.1 milligrams per liter;
- G. Nickel (Ni), 6.0 milligrams per liter;
- H. Zinc (Zn), 8.0 milligrams per liter.

No person shall discharge or cause or allow to be discharged, directly or indirectly, into the MDS any waste containing a pH less than 5.0 units or more than 10.0 units.

Notwithstanding the provisions of the first paragraph of this part, in the event that a discharge of pollutants results in a violation of any requirement of an NPDES permit for a particular commission treatment plant or results in the sewage sludge from a particular commission treatment plant exceeding standards or limitations contained in local, state, or federal law, the commission shall order all persons discharging to said treatment plant to reduce the concentration of pollutants to the degree necessary to remedy NPDES permit violations or to meet sewage sludge rules. Upon receipt of said order all persons discharging pollutants to said treatment plant shall immediately comply with said order by reducing the concentration of pollutants accordingly. This provision shall be applicable to industrial users subject to pretreatment standards notwithstanding less stringent pollutant limitations contained in said pretreatment standards or the provisions of the first paragraph of part 5900.4600.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.4000 PRETREATMENT.

An industrial user shall make industrial waste acceptable under the limitations established in the first paragraph of part 5900.3900, the prohibitions under part 5900.4500, and/or any applicable pretreatment standard before discharging, directly or indirectly, into the MDS. Any industrial user required to pretreat industrial waste shall provide, operate, and maintain such a facility at the industrial user's expense. Detailed plans showing the pretreatment facilities shall be submitted to the commission for review and approval at least 60 days prior to the initiation of construction. The chief administrator shall approve the industrial user's pretreatment plans if it appears that the proposed pretreatment facility is capable of meeting all applicable limitations and prohibitions. The commission's review and approval shall in no way relieve the industrial user from the responsibility of modifying the facility as necessary to produce an effluent complying with the provisions of these rules. Any subsequent modifications in the pretreatment facilities which will result in a substantial change in discharge shall be reported to and be approved by the chief administrator, upon a determination that the modified facility is capable of meeting all applicable limitations and prohibitions, prior to the modification of the existing facility.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.4100 RESIDUAL SOLIDS FROM PRETREATMENT FACILITY.

Residual solids from a pretreatment facility shall not be disposed, directly or indirectly, into the MDS without prior written approval from the chief administrator. The disposal

method shall be in accordance with local, state, and federal requirements. The chief administrator shall be notified in writing within ten days of any substantial changes in such residual solids disposal procedures and/or characteristics.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.4200 DILUTION.

No person shall use potable or process water in any way for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations set forth in these rules or applicable pretreatment standards.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.4300 TRAP INSTALLATIONS.

Grease, oil, and sand traps shall be provided for the proper discharge of waste containing excessive amounts of grease, oil, or sand. All trap installations shall be regularly cleaned and maintained for adequate performance.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.4400 NONCONTACT COOLING WATER.

Every person shall discharge noncontact cooling water via an NPDES permit whenever prudent and feasible.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.4500 PROHIBITED WASTE DISCHARGES.

No person shall discharge or cause to be discharged, directly or indirectly, into the Metropolitan Disposal System any of the following substances:

A. Any combustible, flammable, or explosive solids, liquids, or gases which by their nature or quantity will or are likely to cause either alone or by interaction with other substances a fire or explosion or be injurious to the treatment plant operation. At no time shall two successive readings on an explosimeter, at the point of discharge into the sewer system, be more than five percent nor shall there be any single reading over ten percent of the lower explosive limit (LEL). Prohibited materials include gasoline, kerosene, naphtha, fuel oil, lubricating oil, benzene, toluene, xylene, ethers, alcohols, and ketones.

B. Any solids or viscous substances which will or are likely to cause obstruction to the flow in a sewer or interference with the operation of the MDS. These include garbage with particles greater than one-half inch in any dimension, grease, animal guts or tissues, bones, hair, hides or fleshings, entrails, feathers, ashes, sand, spent lime, stone or marble dust, metal, glass, grass clippings, rags, spent grains, waste paper, wood, plastic, gas tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, glass grinding and polishing wastes.

C. Any wastewater containing inert suspended solids including lime slurries and lime residues or dissolved solids including sodium chloride in such quantities that will or are likely to cause interference with the MDS.

D. Any wastewater having a corrosive property that will or is likely to cause damage or hazard to structures, equipment, or personnel of the MDS.

E. Any wastewater containing toxic or poisonous pollutants in sufficient quantity, either singly or by interaction with other pollutants, that will or is likely to cause interference or constitute a hazard to humans.

F. Any noxious or malodorous solids, liquids, or gases, which, either singly or by interaction with other wastes, will or are likely to create a public nuisance or hazard to life or prevent the entry of commission's personnel into a sewer for its monitoring, maintenance, and repair.

G. Any wastewater which will or is likely to cause excessive discoloration in treatment plant effluent, including dye wastes, vegetable tanning solutions, and printing inks.

H. Wastes, other than domestic wastes, that are infectious before discharging into the sewer.

I. Any sludge from an industrial pretreatment facility except as provided in part 5900.4100.

MINNESOTA RULES 1993

989

INDUSTRIAL COST RECOVERY SYSTEM 5900.4800

J. After August 25, 1981, heat in amounts which will or are likely to inhibit biological activity in any commission treatment plant resulting in interference or causing damage to the MDS, but in no case heat in such quantities that the industrial waste temperature is greater than 65 degrees Celsius (150 degrees Fahrenheit) at its point of discharge to the MDS, or heat causing, individually or in combination with other wastewater, the influent at any commission treatment plant to have a temperature exceeding 40 degrees Celsius (104 degrees Fahrenheit).

K. Any wastewater containing fat, wax, grease, or oil in excess of 100 mg/l that will or is likely to solidify or become viscous at temperatures between 0 and 65 degrees Celsius and which will or is likely to cause obstruction to the flow in sewers or other interference to the MDS.

L. Any slug discharged in such volume or strength which a person knows or has reason to know will or is likely to cause interference in the MDS.

M. Any unpolluted water including cooling water, rain water, storm water, or groundwater unless there is no prudent and feasible alternative.

N. Radioactive wastes or isotopes of such a half-life or concentration that they are in noncompliance with standards issued by the appropriate authority having control over their use and which will or are likely to cause damage or hazards to the MDS or personnel operating it.

O. Any hazardous waste, as defined by Minnesota Statutes, section 116.06, subdivision 11 and parts 7045.0010 to 7045.0170, unless prior approval has been obtained from the chief administrator upon a showing by the discharger that the hazardous waste would not cause, or threaten to cause, an endangerment to the health or welfare of persons, an endangerment to the environment, or interference with the operation of the MDS.

P. Any waste generated outside the metropolitan area.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.4600 PRETREATMENT STANDARDS.

Pretreatment standards as promulgated pursuant to section 307 of the act shall be met by all affected industrial users. Where an industrial user is subject to applicable pretreatment standards, such industrial user shall comply with the pollutant limitations contained therein and not the limitations under the first paragraph of part 5900.3900, except that where the applicable pretreatment standards do not regulate all the pollutants specified in the first paragraph of part 5900.3900 for that industrial user, then such industrial user shall be subject to the limitations provided in the first paragraph of part 5900.3900 for those pollutants for which it is not regulated under the pretreatment standards. In all other respects, industrial users subject to pretreatment standards shall comply with all provisions of these rules and any permit issued thereunder, notwithstanding less stringent provisions of the general pretreatment regulations or any applicable pretreatment standard. Industrial users subject to pretreatment standards shall comply with all more stringent provisions of the general pretreatment regulations and applicable pretreatment standards, notwithstanding less stringent provisions contained in these rules or any permit issued thereunder.

The pretreatment standards, as of the date of adoption of these rules, listed in Appendix D, part 5900.7200 shall be applicable to industrial users.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.4700 NOTIFICATION ABOUT PRETREATMENT STANDARDS.

The chief administrator shall notify all affected industrial users of the applicable pretreatment standards, their amendments, and reporting requirements in accordance with Code of Federal Regulations, title 40, section 403.12 of the general pretreatment regulations. A compliance schedule shall be developed between the commission and the industrial user to ensure that the industrial user complies with local, state, and federal limitations in a timely manner as provided by the same section of the general pretreatment regulations.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.4800 REMOVAL CREDITS AND VARIANCES.

If the commission achieves consistent removal of pollutants limited by pretreatment standards, the commission may apply to EPA for modification of specific limits of the pre-

treatment standards. The commission shall modify pollutant discharge limits applicable to an industrial user in the pretreatment standards if the requirements contained in Code of Federal Regulations, title 40, section 403.7 of the general pretreatment regulations relating to credits for the removal of pollutants are fulfilled and prior approval from the EPA is obtained. However, nothing herein shall be construed to require the commission to apply to the EPA for removal credits nor shall it be construed to in any way limit the applicability of the limitations provided in the first paragraph of part 5900.3900 in the event that such a removal credit is granted, except as provided in the first paragraph of part 5900.4600.

The commission shall recognize and enforce the conditions allowed for by variances from pretreatment standards for fundamentally different factors as granted by the EPA to individual industrial users in accordance with Code of Federal Regulations, title 40, section 403.13 of the general pretreatment regulations.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.4900 REPORTS.

Reports specified in Code of Federal Regulations, title 40, section 403.12 of the general pretreatment regulations shall be submitted to the commission by affected industrial users.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.5000 PREVENTION OF ACCIDENTAL AND SLUG DISCHARGES.

All industrial users shall provide adequate protective procedures to prevent the accidental discharge of any waste prohibited in part 5900.4500, any waste in excess of the limitations provided in part 5900.4500, or any waste in violation of an applicable pretreatment standard.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.5100 ACCIDENTAL DISCHARGES.

Subpart 1. Notification. Any person who has knowledge of an accidental discharge into the MDS of any waste referred to in part 5900.5000 shall immediately notify the chief administrator of such a discharge. In the event that the person reporting the accidental discharge is not the person responsible for the discharge, the chief administrator shall immediately notify the responsible person of the discharge. The responsible person shall take immediate action as is reasonably possible to minimize or abate the prohibited discharge.

Subp. 2. Letter. The responsible person shall send a letter describing the prohibited discharge to the commission within five calendar days after obtaining knowledge of the discharge. The letter shall include the following information: the time and location of the spill; description of the accidentally discharged waste, including estimate of pollutant concentrations; time period and volume of wastewater discharged; actions taken to correct or control the spill; a schedule of corrective measures to prevent further spill occurrences.

Subp. 3. Liability. Such notification as described herein shall not relieve the responsible person of liability for expenses, loss, or damage to the MDS or treatment processes or for any fines or penalties imposed under local, state, or federal law.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.5200 SLUG DISCHARGES.

In the event that an industrial user discharges a slug in such volume or strength which the industrial user knows or has reason to know will cause interference in the MDS, the industrial user shall immediately report the same to the chief administrator. Within five calendar days thereafter, the industrial user shall send a letter to the commission describing the slug.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

ENFORCEMENT

5900.5300 REMEDIES AVAILABLE.

The provisions of these rules and all standards, limitations, orders, schedules of compliance, and all provisions and the conditions of any permit issued by the commission thereunder shall be enforced by the commission by any one or any combination of the following:

criminal prosecutions; action to recover civil damages; injunction; action to compel performance; termination of service.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.5400 CRIMINAL PENALTIES.

Any person who willfully or negligently violates any provision of these rules or any provision of a permit issued by the commission thereunder shall be guilty of a misdemeanor.

Any person who continues any violation of any provision of these rules or any provision of a permit issued by the commission thereunder beyond the time limit provided for in the chief administrator's written notice of violation shall be guilty of a misdemeanor. Each day in which a violation referred to in this part continues shall be deemed a separate offense.

Any person who knowingly makes any false statement or representation in any record, report, plan, or other document filed with the commission, or who falsifies, tampers with, or renders inaccurate any monitoring device or method required under these rules or any permit issued by the commission thereunder shall be guilty of a misdemeanor.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.5500 CIVIL LIABILITY.

Any person discharging waste in violation of these rules or any provision or condition of any permit issued by the commission thereunder shall be subject to civil liability to the commission for any or all of the following: the added costs to the commission of handling the improper discharge; the costs incurred by the commission in correcting the violation, in repairing damage to the Metropolitan Disposal System, and in cleanup of the unauthorized discharge; any costs or penalties imposed upon the commission by regulatory authorities by reason of the violating discharge.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.5600 INJUNCTIONS.

Any violation of these rules or any provision or condition of any permit issued by the commission thereunder which causes, or threatens to cause, an imminent endangerment to the health or welfare of persons, an endangerment to the environment, or interference with the operation of the MDS may be enjoined by the commission as provided by law.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.5700 ACTIONS TO COMPEL PERFORMANCE.

In the event of a violation of these rules or any provision or condition of any permit issued by the commission thereunder, the commission may petition a court of competent jurisdiction for an order compelling compliance with these rules or any permit issued thereunder or any order compelling the person in violation to: demonstrate that in-plant improvements will modify a discharge in such a way as to comply with these rules and any applicable permit; install and maintain pretreatment, handling, or monitoring facilities necessary to reduce or eliminate those characteristics of the discharge which resulted in the violation; or discontinue any discharge, or part thereof, into the Metropolitan Disposal System.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.5800 TERMINATION OF SERVICE.

In the event that a discharge directly or indirectly to the MDS in violation of these rules or of any permit issued thereunder is causing, or threatens to cause, an imminent endangerment to the health or welfare of persons, an endangerment to the environment, or interference with the operation of the MDS, the chief administrator may interrupt or terminate the sewage service to the violator after informal notice and, if feasible, an opportunity to respond.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.5900 ADMINISTRATION OF RULES.

These rules, and interpretations thereof, shall be administered by the chief administrator.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.6000 ENFORCEMENT.

The chief administrator shall take all reasonable actions necessary to enforce these rules and to correct violations thereof.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.6100 NOTICE OF VIOLATION.

Any person found to be in violation of any provision of these rules, or of the provisions of an industrial discharge permit, shall be served by the chief administrator with a written notice of such violation and an order to cease and desist. The notice shall direct the person to comply forthwith or to comply in accordance with a time schedule set forth by the chief administrator. The chief administrator shall also serve a notice in cases of threatened violations and direct that appropriate remedial or preventive action be taken.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.6200 VARIANCES.

Except in the case of pretreatment standards, upon the written request of any person the commission shall grant a variance where there is no prudent and feasible alternative to non-compliance with these rules or a permit issued thereunder. The chief administrator, upon approval of the commission, shall respond within 45 days of a request for a variance and shall set forth in writing the reasons for granting or denying the variance.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.6300 APPEALS.

Any person affected by any decision or order made by the chief administrator in interpreting or administering the provisions of these rules or of any permit issued pursuant hereto, may file with the chief administrator a written request for reconsideration within ten days of such decision, action, or determination, setting forth in detail the facts supporting the request for reconsideration. The chief administrator shall respond in writing on the decision within ten days of receipt of the request for reconsideration.

The chief administrator's decision may be appealed for hearing to the commission by giving written notice of appeal, within ten days after receipt of the decision of the chief administrator. Notice of a scheduled hearing shall be mailed to the appealing person. The decision of the commission on such appeal shall be the final administrative determination.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.6400 CONFLICTS.

If conflicts arise between these rules and any other rules previously adopted by the commission, these rules, and the interpretations thereof, shall take precedence.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.6500 SEVERABILITY.

If the provisions of any part, subpart, or item of these rules shall for any reason be held to be unconstitutional or invalid by any court of competent jurisdiction, the provisions of the remaining parts, subparts, and items shall nevertheless continue in full force and effect.

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

5900.6800 APPENDIX A; INDUSTRIAL DISCHARGE PERMIT APPLICATION.

For Commission Use Only
Permit No.: _____
Date Received: _____
Permit Issued: _____

METROPOLITAN WASTE CONTROL COMMISSION
PERMIT APPLICATION FOR DISCHARGE OF INDUSTRIAL WASTE TO THE
METROPOLITAN DISPOSAL SYSTEM

A. GENERAL

- 1. Company Name: _____
- 2. Mailing Address: _____

MINNESOTA RULES 1993

INDUSTRIAL COST RECOVERY SYSTEM 5900.6800

993

- 3. Facility Address: _____
- 4. Facility Community: _____
- 5. Contact Person: _____
 Job Title: _____
 Phone Number: _____
- 6. Application for: _____
 ___ Existing Facility
 ___ New Facility

B. OPERATION

- 1. Total Number of Employees: _____
- 2. Operating Hours Per Day: _____
- 3. Number of Shifts Per Day: _____
- 4. Number of Employees Per Shift: 1st ___ 2nd ___ 3rd ___
- 5. Operating Days Per Week: _____

C. PRODUCTION

1. Nature of Operation	SIC Code	Estimated Rate of Production	Estimated Total Quantity per Year
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

2. Principal Raw Materials	% Total
_____	_____
_____	_____
_____	_____

3. Principal Products	% Total
_____	_____
_____	_____
_____	_____

4. If there are seasonal changes in your rate of production, please describe. _____

D. SOURCE OF WATER SUPPLY

Source	Gal/yr.	Determined by
Municipal	_____	_____
Private Well	_____	_____
Other	_____	_____
Total	_____	_____

MINNESOTA RULES 1993

5900.6800 INDUSTRIAL COST RECOVERY SYSTEM

994

E. WASTE DISCHARGE

Type	Gal/yr.	Determined by
Uncontaminated Cooling Water		Discharged to:
a) Storm Sewer	_____	_____
b) Receiving Water	_____	_____
c) Domestic or Combined Sewer	_____	_____
Domestic Waste	_____	_____
Industrial Waste	_____	_____
Other	_____	_____
Total	_____	_____

Explain discrepancy, if any, between total water supply and total waste discharge

F. INDUSTRIAL WASTE FLOW CHARACTERISTICS

1. Continuous Discharge

Daily Flow Rate	Time & Duration	Determined by
Average	_____	_____
Maximum	_____	_____
Minimum	_____	_____

Please indicate, if any, the weekly, monthly, yearly or seasonal variations on your discharges.

2. Batch Dump

Quantity	Contents	Duration	Frequency
_____	_____	_____	_____
_____	_____	_____	_____

3. Does your company have an NPDES permit for discharge? _____

If "YES," please indicate the discharge volume, location, and name of the receiving water.

G. ANALYTICAL DATA ON INDUSTRIAL WASTE

1. Date representative sample collected: _____
2. Sample collected by (organization): _____
3. Sample analyzed by (organization): _____
4. Method of sample collection: _____

5. Method of sample composition: _____

Present	Absent	Constituent	Result
_____	_____	pH	_____ units
_____	_____	Suspended Solids	_____ mg/l
_____	_____	Chemical Oxygen Demand	_____ mg/l

MINNESOTA RULES 1993

995

INDUSTRIAL COST RECOVERY SYSTEM 5900.6800

_____	_____	Grease and/or Oil	_____ mg/l
_____	_____	Cadmium	_____ mg/l
_____	_____	Total Chromium	_____ mg/l
_____	_____	Copper	_____ mg/l
_____	_____	Lead	_____ mg/l
_____	_____	Mercury	_____ mg/l
_____	_____	Nickel	_____ mg/l
_____	_____	Zinc	_____ mg/l
_____	_____	Total Cyanide	_____ mg/l
_____	_____	Other	_____ mg/l

H. PRETREATMENT

1. All Industrial Users

a) Does the Company accomplish in-line and/or end-of-pipe treatment of its wastes? _____

b) If "YES," please list the parameter treated, the treatment processes, their objectives and solid waste disposal method:

Parameter Treated	Process	Objective	Solid Waste Disposal
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

c) If "NO," please indicate which method(s) your company will consider for meeting MWCC limitations and/or EPA Pretreatment Standards.

- ___ Already in Compliance.
- ___ Addition of Pretreatment Processes (Describe).
- ___ Modification of Processes (Describe).
- ___ Substitution of Alternative Chemicals (Describe).
- ___ Elimination of Certain Processes (Describe).
- ___ Other (Describe).

2. Federal Categorical Pretreatment Industries Only.

a) Categorical Process Wastewater Flow.

EPA Category	Average (GPD)	Maximum (GPD)	% Total
_____	_____	_____	_____
_____	_____	_____	_____

b) If your Company cannot meet the EPA Pretreatment Standards on a consistent basis, please complete the following table for additional pretreatment and/or operation and maintenance (O & M):

Major Pretreatment Component and/or Additional O & M	Commencement Date	Completion Date	Operating Date
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

I. DESCRIPTION OF INDUSTRIAL WASTE GENERATING PROCESS

1) Please sketch a flow chart of your operation(s) on a separate sheet of paper including the following information:

- a) Manufacturing steps;
- b) Stages where water and/or chemicals are added or discharged to the sewer;
- c) Source of water supply;
- d) Pretreatment System location, if required;
- e) Continuous flow and/or batch discharge stages;
- f) Location of meters, sampling, and monitoring points;
- g) Number and location of sanitary and/or combined sewer connections.

J. CERTIFICATION OF INFORMATION

I hereby certify that the information supplied in this application is complete and correct to the best of my knowledge.

*Name (PRINT) _____
 Title _____
 Signature _____
 Phone (Area Code) _____
 Date _____

*For Federal Categorical Pretreatment Industries, the signatory must be an authorized representative. An authorized representative may be:

- 1) a principal executive officer of at least the level of vice president, if the Permittee is a corporation;
- 2) a general partner or proprietor, if the Permittee is a partnership or sole proprietorship, respectively; or
- 3) a duly authorized representative of the individual designated in (1) or (2) above if such representative is responsible for overall operation of the facility.

Send completed form and an application fee of _____ to: Metropolitan Waste Control Commission, Industrial Waste Section, 350 Metro Square Building, Saint Paul, Minnesota 55101.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.6900 APPENDIX B; INDUSTRIAL WASTE.

Subpart 1. Scope. This appendix is to serve as a guideline for industrial users and commercial analytical laboratories who collect and/or analyze industrial waste samples. Methods of sample collection, sample preservation, sample handling, and sample analysis are addressed herein in order to standardize the format of sampling and sample analysis.

Subp. 2. Location of self-monitoring point. Major factors to be considered in selecting the sampling point(s) are: whether the origin and volume of wastewater flow is known or can be determined; whether the sampling point is easily accessible with adequate safeguards; whether the wastewater is well mixed and has adequate velocity for proper sampling techniques.

Subp. 3. Type of samples.

A. Grab samples: grab samples may be taken manually or automatically. Wide mouth jars are preferred in order to facilitate the rapidity of sample collection. A grab sample is preferred over a composite one when wastewater to be sampled does not flow on a continuous basis, such as periodic dumping of spent process tanks, or it is desirable to determine the instantaneous condition of a wastewater. Grab samples are required when analyzing wastewaters for parameters such as temperature and pH.

B. Composite samples: samples may be composited on the basis of any of the following:

- (1) Equal time intervals and equal size samples.

MINNESOTA RULES 1993

997

INDUSTRIAL COST RECOVERY SYSTEM 5900.7000

(2) Equal time, unequal volume samples; amount of samples collected or added to the mixture for compositing during the sampling period is proportional to the wastewater flow at equal time intervals. Each individual sample should have a volume of at least 100 milliliters.

(3) Unequal time, equal volume samples: collection of fixed volume samples passing through the sampling point over unequal time intervals. When the wastewater flow varies considerably throughout a normal working day, individual samples should be taken at least hourly.

Individual samples should be composited totally and mixed well. A two to four liter portion of the total mixture should be taken as a representative sample of the total mixture for analysis. Generally, a composite sample is acceptable if individual samples are collected hourly over a normal working day or 24 hours.

Subp. 4. **General precautions in sample handling.** Samples should be taken in the well-mixed region of the wastewater. Intake of the collecting device should be placed below the water surface to avoid excessive floating materials and above the bottom to avoid sediment. Before a grab sample is taken, the container should be rinsed several times with the wastewater. For an automatic sampler, the intake line velocity should be sufficiently high to ensure representative sampling of suspended solids.

Subp. 5. **Sample preservation.** Container, preservative, and maximum holding time for pollution parameters to be analyzed should be in accordance with Table B-1, part 5900.7000. Sample preservations should be performed immediately upon collection, if feasible.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

5900.7000 TABLE B-1; CONTAINERS, PRESERVATION, AND HOLDING TIMES.

	Parameter	Container	Preservative	Maximum Holding Time
1.	CN(T)	Polyethylene/ Glass	Cool, 4°C NaOH, pH>12	14 days
2.	Hg	Polyethylene/ Glass	HNO ₃ , pH<2	28 days
3.	Other metals	Polyethylene/ Glass	HNO ₃ , pH<2	6 months
4.	Chemical Oxygen Demand (COD)	Polyethylene/ Glass	Cool, 4°C H ₂ SO ₄ , pH<2	28 days
5.	pH	Polyethylene/ Glass	Determine on site	2 hours
6.	Oil & Grease	Glass	Cool, 4°C H ₂ SO ₄ , pH<2	28 days
7.	Suspended Solids	Polyethylene/ Glass	Cool, 4°C	14 days

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

MINNESOTA RULES 1993

5900.7100 INDUSTRIAL COST RECOVERY SYSTEM

998

5900.7100 APPENDIX C; CLASSIFICATION OF INDUSTRIAL USERS.

SIC Code of Major Group, Group or Industry	Title
20	Food and kindred products
21	Tobacco manufacture
22	Textile mill products
23	Apparel and other finished products made from fabrics and similar materials
24	Lumber and wood products, except furniture
25	Furniture and fixtures
26	Paper and allied products
27	Printing publishing and allied industries
28	Chemicals and allied products
29	Petroleum refining and related industries
30	Rubber and miscellaneous plastic products
31	Leather and leather products
32	Stone, clay, glass and concrete products
33	Primary metal industries
34	Fabricated metal products, except machinery and transportation equipment
35	Machinery, except electrical
36	Electrical and electronic machinery equipment and supplies
37	Transportation equipment
38	Measuring, analyzing and controlling instruments; photographic, medical and optical goods; watches and clocks
39	Miscellaneous manufacturing industries
40	Railroad transportation
41	Local and suburban transit and interurban highway passenger transportation
42	Motor freight transportation and warehousing
44	Water transportation
45	Transportation by air
47	Transportation services
49	Electric, gas and sanitary services
50	Wholesale trade – durable goods
51	Wholesale trade – nondurable goods
721	Laundry, cleaning and garment services
7395	Photofinishing laboratories
7399	Business services, not elsewhere classified (Solvents recovery service, on a contract basis)
7542	Car washes
7699	Repair shops and related services, not elsewhere classified (Cesspool cleaning) (Replating shops) (Septic tank cleaning service) (Sewer cleaning and rodding) (Tank and boiler cleaning service) (Tank truck cleaning service)
806	Hospitals

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*

MINNESOTA RULES 1993

999

INDUSTRIAL COST RECOVERY SYSTEM 5900.7200

5900.7200 APPENDIX D; PRETREATMENT STANDARDS.

Electroplating Point Source Category, Code of Federal Regulations, title 40, part 413.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

MINNESOTA RULES 1993

5900.7300 INDUSTRIAL COST RECOVERY SYSTEM

1000

5900.7300 APPENDIX E; INDUSTRIAL WASTE DISCHARGE REPORT.



**METROPOLITAN
WASTE
CONTROL
COMMISSION**
Twin Cities Area

350 Metro Square Bldg.
St. Paul, Minnesota 55101

For Commission Use Only
Permit No. _____
Date Issued _____

INDUSTRIAL WASTE DISCHARGE REPORT FORM

1. Company Name: _____
2. Location Address: _____ Mailing Address: _____

3. Reporting period covered by this report:

<u>Quarterly Reporters</u>	<u>Semi-annual Reporters</u>	<u>Annual Reporters</u>
<input type="checkbox"/> Jan. - Mar., 19 _____	<input type="checkbox"/> Jan. - June, 19 _____	<input type="checkbox"/> 19 _____
<input type="checkbox"/> Apr. - June, 19 _____	<input type="checkbox"/> July - Dec., 19 _____	
<input type="checkbox"/> July - Sept., 19 _____		
<input type="checkbox"/> Oct. - Dec., 19 _____		
4. Total days of operation during this reporting period _____
5. Total number of employees working during this reporting period _____
6. Quantity of waste discharge:
 - a) All Permittees.

Uncontaminated Cooling Water Discharged to:

	Volume in gallons	Determined by
Storm Sewer		
Receiving Water		

Waste Discharged to Sanitary Sewer:

Type	Volume in gallons	Determined by
Cooling Water		
Domestic Waste		
Industrial Waste		
Other		
Total		

b) Federal Categorical Pretreatment Industries Only

Categorical Process Wastewater Flow

EPA Category	Average gallons per day	Maximum gallons per day	% Total Discharge

MINNESOTA RULES 1993

1001

INDUSTRIAL COST RECOVERY SYSTEM 5900.7300

7. Date and time frame of representative sample collection _____
8. Total volume discharged during sampling time frame _____
9. How was volume in Question 8 determined _____
10. Sampling Location _____
11. Method of Sample collection manually automatically
Describe _____
12. Sample collected by Permittee other, name _____
13. Method of Sample compositing manually automatically
Describe _____
14. Sample composited by Permittee other, name _____
15. Sample analyzed by Permittee other, name _____
16. Analytical results. A value should be reported for each parameter indicated in your Industrial Discharge Permit. Federal Categorical Pretreatment Industries should indicate all parameters regulated under EPA Pretreatment Standards from Categorical process wastewater. A copy of lab. report(s) should also be attached.

<u>Parameter</u>	<u>Total Discharge</u>
pH	_____ units
Suspended Solids	_____ mg/l
Chemical Oxygen Demand	_____ mg/l
Grease and Oil	_____ mg/l
Chromium, Total	_____ mg/l
Cadmium	_____ mg/l
Copper	_____ mg/l
Lead	_____ mg/l
Nickel	_____ mg/l
Zinc	_____ mg/l
Cyanide, Total	_____ mg/l
_____	_____ mg/l
_____	_____ mg/l

Report Submitted by:

Name (PRINT): _____

Title: _____

Phone: _____

Date: _____

Signature: _____

MINNESOTA RULES 1993

5900.7300 INDUSTRIAL COST RECOVERY SYSTEM

1002

Authorized Representative:
(Federal Categorical Pretreatment Industries Only)

Name (PRINT): _____

Title: _____

Phone: _____

Date: _____

Signature: _____

An Authorized Representative may be:

1. A principal executive officer of at least the level of vice president, if the Permittee is a corporation;
2. A general partner or proprietor if the Permittee is a partnership or sole proprietorship, respectively; or
3. A duly authorized representative of the individual designated in (1) or (2) above if such representative is responsible for the overall operation of the facility.

Statutory Authority: *MS s 473.504 subds 4,5; 473.515 subd 3*

MINNESOTA RULES 1993

1003

INDUSTRIAL COST RECOVERY SYSTEM 5900.7400

5900.7400 APPENDIX F; WASTE TRANSPORT HAULER DISCHARGE REPORT.



**METROPOLITAN
WASTE
CONTROL
COMMISSION**
Twin Cities Area

350 Metro Square Bldg.
St. Paul, Minnesota 55101

For Commission Use Only
Permit No. _____
Date Issued: _____

WASTE TRANSPORT HAULER DISCHARGE REPORT

DATE: _____

1. Company Name: _____
2. Location Address: _____ Mailing Address: _____

3. Reporting Period covered by this report: January-June, 19____
 July-December, 19____
4. Number of trucks hauling liquid waste within this reporting period _____
5. List below the location of discharge, date and approximate time of discharge, volume, and a brief description of the waste characteristics.
Attach extra pages if necessary.

Location of Discharge	Date and Time	Volume (gallons)	Type of Waste		
			Residential	Commercial	Industrial

Form completed by:

Further contact should be addressed to:

Name(Print) _____

Name(Print) _____

Title: _____

Title: _____

Phone: _____

Phone: _____

Date: _____

Signature: _____

MINNESOTA RULES 1993

5900.7400 INDUSTRIAL COST RECOVERY SYSTEM

1004

Location of Discharge	Date and Time	Volume (gallons)	Type of Waste		
			Residential	Commercial	Industrial

Statutory Authority: MS s 473.504 subs 4,5; 473.515 subd 3

MINNESOTA RULES 1993

1005

INDUSTRIAL COST RECOVERY SYSTEM 5900.7500

5900.7500 APPENDIX G; INDUSTRIAL DISCHARGE PERMIT, RENEWAL APPLICATION.

For Commission Use Only

Permit No.: _____

Date Issued: _____

350 Metro Square Building.

St. Paul, Minnesota 55101

INDUSTRIAL DISCHARGE PERMIT RENEWAL APPLICATION

Date: _____

1. Company Name: _____
2. Location Address: _____ Mailing Address: _____

3. Number of shifts per day: _____
4. Number of employees per shift: 1st _____ 2nd _____ 3rd _____
5. Number of operating days per week: _____
6. Does your company plan any significant changes in production, business, or manufacturing in the next three years? No Yes (Describe)

7. Does your company plan any significant changes in either the quantity or quality of wastewater discharged in the next three years? No Yes (Describe)

8. Does your company plan to modify or expand its pretreatment system or equipment in the next three years? No Yes (Explain)
 Not Applicable

9. Is your firm's pretreatment compliance schedule in accordance with the timetable submitted in Section H (2)(b) of the initial Permit Application? No (Explain) Yes
 Not Applicable

10. (Waste Transport Haulers only) Number of trucks anticipated to haul wastes in the next three years? _____

MINNESOTA RULES 1993

5900.7500 INDUSTRIAL COST RECOVERY SYSTEM

1006

NOTE: A PERMIT REISSUANCE FEE OF \$_____ SHOULD ACCOMPANY THIS APPLICATION

I hereby certify that the above information is true and accurate to the best of my knowledge.

Form completed by: _____

Name (PRINT) _____

Title: _____

Phone: _____

Date: _____

Signature: _____

Further contact should be made to:

Name (PRINT) _____

Title: _____

Phone: _____

Statutory Authority: *MS s 473.504 subs 4,5; 473.515 subd 3*